

February 8, 2024

To whom it may concern:

Company Name: ASKUL Corporation  
(Code No.: 2678, Tokyo Stock Exchange Prime Market)  
Representative: Akira Yoshioka  
President and Chief Executive Officer  
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## **Notice Concerning Judgment on Lawsuit for Compensation of Damages (Appeal Trial)**

ASKUL Corporation (the “Company”) has filed an appeal with the Tokyo High Court as disclosed in the Notice Concerning Filing of Appeal dated May 17, 2023, and a judgment on the appeal was rendered today by the Tokyo High Court, as detailed below.

### **1. Date of Judgment and Court Issuing Judgement in the Appeal Trial**

- (1) Date of Judgement: February 8, 2024
- (2) Court: Tokyo High Court

### **2. Opposing Party to the Appeal**

Name: K.K. Miyazaki (hereinafter referred to as “Miyazaki”)  
Address: 93 Nishi-sukaguchi, Kiyosu city, Aichi  
Representative: Shingo Umeda, President

### **3. Circumstances Behind the Lawsuit and Events Leading to the Judgement**

August 6, 2020	Filed the lawsuit with the Tokyo District Court
April 26, 2023	First instance judgment by the Tokyo District Court
May 9, 2023	Filed the appeal with the Tokyo High Court
February 8, 2024	Appeal trial judgment by the Tokyo High Court

Pursuant to a contract between the Company and Miyazaki for the continued sale of recyclable resources (corrugated cardboard, etc.) in our possession to Miyazaki (hereinafter “Agreement”), we have engaged in sales transactions of recyclable resources, which were continuously delivered to a scrap material yard (hereinafter “Scrap Material Room”) in the Company’s distribution center ASKUL Logi Park Tokyo Metropolitan (located in Miyoshi-machi, Iruma-gun, Saitama Prefecture at the time; hereinafter “Distribution Center”) based on the Agreement between the Company and Miyazaki. On February 16, 2017, a fire (hereinafter “Fire”) occurred due to the improper use, etc. of a forklift by a Miyazaki employee in the Scrap Material Room during collection and transport operations of the recyclable resources.

The Company filed a lawsuit against Miyazaki on August 6, 2020, in the amount of 10,105,916,808 yen which is comprised of direct losses such as the total loss of the Distribution Center, compensation for neighboring residents, significant labor costs for fire emergency response, and establishment of an alternative distribution center, as well as indirect losses such as lost sales opportunities, and delay damages thereon.

On April 26, 2023, the Tokyo District Court issued the first instance judgment ordering Miyazaki to pay 5,118,594,268 yen in damages and delay damages. However, the Company filed the appeal with the Tokyo High Court on May 9, 2023, against a part of the judgment. Furthermore, a separate

appeal was also filed by Miyazaki on May 10, 2023.

The Tokyo High Court has ruled on the appeal as described in 4. below.

\* For details about the lawsuit, please refer to "Notice of Filing of Lawsuit" released on August 6, 2020.

#### **4. Content of Judgment (summary)**

- (1) The defendant in the first instance (Miyazaki) is ordered to pay the plaintiff in the first instance (the Company) 9,426,389,260 yen in damages and delay damages thereon.
- (2) The appeal by the defendant in the first instance is dismissed.
- (3) The court costs of the first and second trials shall initially be divided ninefold, with one-ninth to be borne by the plaintiff in the first instance and the remainder to be borne by the defendant in the first instance.
- (4) Only Paragraph 1 of the judgement may be provisionally executed.

#### **5. Future Prospects**

The Company's response will be determined after a thorough review of the judgement. In the event that matters that must be disclosed occur regarding the judgment such as its effects on the Company's operating results, such matters will be announced promptly.